

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

FILED
DEC 06 2013
U.S. District Court
Eastern District of Tennessee
At Chattanooga

**ADAM TATUM v. CITY OF
CHATTANOOGA, et al.**

Case No. 1:13-cv-26

**ADAM TATUM v. CITY OF
CHATTANOOGA, et al.**

Case No. 1:13-cv-210

Judge Curtis L. Collier

AFFIDAVIT OF W. GERALD TIDWELL, JR.

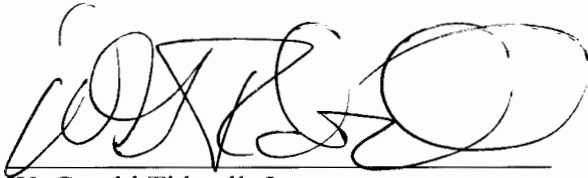
After being duly sworn, deponent says as follows:

1. That my name is W. Gerald Tidwell, Jr., and I am attorney of record for James Smith and Michael Wenger. Attorneys of record include W. Adam Izell and the law firm of Tidwell & Izell, P.C. That I am over the age of eighteen (18) years and the statements contained in this affidavit are of my own information, knowledge and belief.

2. That with this Affidavit, I am turning over to the clerk's office the CD and paper copy of the PSR from Attorney Robin Flores. Mr. Flores advised me in person that he has deleted this information from his computer files. Michael Raulston has now confirmed to me in writing that he deleted all of this information from his computer files. Arnold Stulce has been unable to locate the CD I sent him that contained the PSR. Joshua Powers has been unable to locate the paper copy of the PSR. Jonathan Guthrie confirmed in writing that he has deleted all copies of the PSR in his cyber file prior to my filing the first affidavit regarding this and I mistakenly stated in that affidavit that he had not.

3. At this point I have now surrendered to the court through the clerk all paper copies of the PSR and CDs with the PSR on it that I can locate. If Mr. Powers or Mr. Stulce finds the other item, I will turn it over to the court with an affidavit, such as this.


Further Deponent sayeth not.



W. Gerald Tidwell, Jr.

**STATE OF TENNESSEE
COUNTY OF HAMILTON**

Sworn and subscribed this 6th day of December, 2013. My Commission expires 9.8.15.


Notary Public

